

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9530-2019

Date of decision : 19.11.2019

Kulwinder Singh alias Kinder

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Akash Yadav, Advocate for
Mr. Abhinav Gupta, Advocate
for petitioner.

Mr. Ramandeep Sandhu, Senior DAG Punjab.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 65, dated 4.7.2018, registered under Section 22 of NDPS Act, at Police Station Sadar Banga, District SBS Nagar.

The allegations against petitioner are that he was found in conscious possession of 15 injections of Buprenorphine containing 2 ML each without any permit or license. Petitioner is in custody since 4.7.2018. The investigation is complete.

The learned State counsel has filed reply in Court today and same is taken on record. Alongwith reply, Medical Report of petitioner is annexed as Annexure R1. The operative part of report reads as under :

' He continuously needs Physiotherapy as advised. He needs regular RBS monitoring and follow up with medical specialist and neurological specialist at higher center. On dated 11.11.2019 he had complaint of breathlessness and chest pain for which he was referred to Civil Hospital Ludhiana as an emergency, from where he was further referred to Rajindra Hospital Patiala and remain admitted till 18.11.2019 with CR No. 47501 where he was diagnosed as having T2DM/CAD/CVA (left MCA in Infarct) and given treatment for the same.'

Without commenting anything on merit of case and also bearing in mind the fact that petitioner is in custody since 4.7.2018 and considering his medical condition, this petition is allowed. He is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned.

However, if petitioner indulges in any activity of similar nature, while on bail, prosecution agency will be at liberty to seek cancellation of order granting bail to petitioner.

(HARINDER SINGH SIDHU)
JUDGE

19.11.2019

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No